# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/001,643 | 12/31/1997 | RUSS L. ALBERT | 1431/USW0391 | 6919 |

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| EXAMINER |
|---|
| HUYNH, CONG LAC T |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2178 | |

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

*– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on _17 March 2005_.

2a) ☒ This action is **FINAL**.     2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) _1-12_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-12_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All  b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## DETAILED ACTION

1.    This action is responsive to communications: amendment filed on 3/17/05 to the

application filed on 12/31/97.

2.    Claims 1-12 are pending in the case.  Claims 1 and 8 are independent claims.

### *Claim Rejections - 35 USC § 103*

3.    The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.    This application currently names joint inventors.  In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary.  Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.    Claims 1-4, 6-11 remain rejected under 35 U.S.C. 103(a) as being unpatentable

over Anand et al. (US Pat No. 5,710,900, 1/20/98) in view of Jagadish et al. (US Pat No.

6,058,170, 5/2/00, filed 5/10/97).

Regarding independent claim 1, Anand discloses:

- a host site connected to at least one user computer terminal via an on-line
  interconnection, said host site comprising a database for storing the sale
  information and inventory information, and a processor terminal connected to the
  on-line interconnection for receiving a user report request and sending reports
  created in response to the received requests and additional on-line user input
  (col 1, lines 5-7, 54-67; col 2, lines 1-4; col 2, lines 14-25, 31-34, 39-41; col 9,
  lines 16-32; col 6, lines 43-67; col 7, lines 1-13, figures 6, 10-11)

- a view manager arranged to generate a set of function commands which can be
  selectively launched by user input to graphically display a list of available views
  each of which contains a report relating to particular user information stored in a
  database, create a new view and report, and edit a view and report (col 2, lines
  14-25, 31-34, 39-41, figures 6, 10-11)

Anand does not disclose relating data maintained independently from the host site and
input by a user with the user's billing and inventory data for displayed as part of a
requested report, wherein at least a portion of the data maintained independently from
the host computer site and input by the user is displayed as part of the requested report
and wherein the independently-maintained data are comprised by data categories
defined by the user.

Jagadish discloses:

- automatically generating *telephone bills that include customer defined
  information* where the customer specific data are stored in the customer profiles

separate from the billing system, which is the host site (**abstract, col 1, lines 36-53; col 3, line 59 to col 4, line 10, 38-61; figure 1B, #114, #116, #118**)

- relating data maintained independently from the host computer site on a user computer terminal with the user's billing and inventory data for display as part of a requested report, wherein at least a portion of the data maintained independently from the host computer site is displayed as part of the requested report (**abstract**: generating telephone bills that include customer defined information where the customer specific data includes pricing data and summary parameters where the summary parameters may be defined directly by the customer (**col 3, line 59 to col 4, line 10**) and the summary parameters are the data stored in the customer profile (**figure 1B, 166, 167, 168, col 3, lines 40-42, col 4, lines 43-46**); since the summary parameters stored in the customer profile are defined directly by the customer and are the data provided by the customer, the summary parameters are data maintained independently from the host site; the billing analysis system generates summary information update defined by the summary parameters based on the priced call value (col 4, lines 38-61) shows that the summary parameters must be included in the summary information; generating the snapshot summary and providing the access to online summary such as online terminal (col 3, lines 50-58) indicates that the summary is displayed on terminal; since the summary which includes the summary parameters provided by a user and thus maintained independently from the host site is displayed on terminal, the data maintained independently from the host

site is on a user computer terminal; and since the summary information includes

summary parameters, and the summary information is displayed on user

terminal, the summary parameters are displayed as "the part of the requested

report")

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Jagadish into Anand for the following reason. Jagadish

teaches generating telephone bills that include customer defined information where the

customer specific data are stored in the customer profiles *separate from the billing*

*system* (as seen in figure 1B), and where the separation of the storage of the customer

defined data and the billing system suggest the independent maintenance of said data

from the host site. Jagadish discloses relating data input by a user with the user's

billing and inventory data for displayed as part of a requested report, wherein at least a

portion of the data maintained independently from the host computer site and input by

the user is displayed as part of the requested report. Jagadish also discloses that the

independently-maintained data are comprised by data categories defined by the user.

The combination of Jagadish into Anand would provide the advantage to utilize the

customer defined data included in the billing report to enhance the billing report system

of Anand for easily tracking the billing information (Jagadish, col 1, lines 24-34).


Regarding claim 2, which is dependent on claim 1, Anand discloses that the view editor

is arranged to receive and implement user report editing instructions (col 2, lines 39-41;

col 9, lines 33-57).

Regarding claim 3, the system of Anand discloses a graphical user interface for the user

to interact with the system (figures 6-10; col 2, lines 2-14).

Regarding claim 4, Anand discloses the aggregating method such as add, average,

min, max, count to disclose the change in the Smart Report (col 17, lines 65-67; col 18,

lines 1-50). Anand also discloses the drill down command (col 9, lines 16-32, col 10,

lines 50-67).

Regarding claim 6, which is dependent on claim 1, the system of Anand discloses an

Internet connection and web browser (col 2, lines 15-25, client and server system, col 4,

lines 53-57, Reports in HTML format imply that the system is connected to the internet

so that a web document can be sent over).

Regarding claim 7, which is dependent on claim 1, Anand discloses that the graphical

interface comprises Java applets and an HTML page (col 9, lines 16-57).

Claims 8-11 are the method for generating an on-line report performed on the system of

claims 1-4, therefore rejected under the same rationale.

6.      Claims 5, 12 remain rejected under 35 U.S.C. 103(a) as being unpatentable over

Anand in view of Jagadish as applied to claims 1 and 8 above, and further in view of

Melchione et al. (US Pat No. 5,930,764, 7/27/99).

Regarding claim 5, which is dependent on claim 1, Anand and Jagadish do not disclose that the report filter is arranged to receive user define value for use as threshold value to selectively control which database information will be included in a report. Melchione discloses the three-tier-hierarchy provides the "key" at each of the household, customer, and customer levels that satisfy user criteria for queries, views, and reports (col 16, lines 45-64). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Melchione into Anand and Jagadish because Melchione teaches the criteria as a threshold to select which data from the database to be included in the report providing the advantage to quickly selecting the needed data from the database based on the criteria to apply to the billing report in Anand and Jagadish instead of taking time searching the whole database.

Claim 12 is the method to be performed on the system of claim 5, and therefore rejected under the same rationale.

### Response to Arguments

7.      Applicant's arguments filed 3/17/05 have been fully considered but they are not persuasive.

Applicants argue that Jagadish does not teach that the independently-maintained data is on the user's computer terminal (Remarks, page 7).

Examiner respectfully disagrees.

As mentioned in claim 1 rejection above, Jagadish discloses the summary parameters included in the customer specific data (abstract), are equivalent to the independently-

maintained data as claimed. Since the summary parameters are included in the summary information (col 4, lines 38-61), which can be accessed by online terminal (col 3, lines 50-58), the summary parameters is on the user's computer terminal.

### *Conclusion*

8.      **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9.      The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jagadish et al. (US Pat No. 5,844,972, 12/1/98, filed 3/20/97).

Daase et al. (US Pat No. 6,754,320 B2, 6/22/04, filed 1/11/01).

Janning (US Pat No. 6,052,448, 4/18/00, filed 12/23/97).

Welter, Jr. (US Pat No. 5,852,659, 12/22/98, filed 12/29/95).

10.    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-

4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-4125.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Cong-Lac Huynh
Examiner
Art Unit 2178
4/20/05